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6 [Additional counsel appearing on signature page]

7 *Attorneys for Plaintiff and the Alleged Classes*

8  
9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
11 **OAKLAND DIVISION**

11 ABANTE ROOTER AND PLUMBING, INC.,  
12 a California corporation, individually and on  
behalf of all others similarly situated,

13 Plaintiff,

14 v.

15 TOTAL MERCHANT SERVICES, INC., a  
16 Delaware corporation

17 Defendant.

Case No. 3:19-cv-05711-EMC

**MOTION FOR TELEPHONIC  
APPEARANCE AT CASE  
MANAGEMENT CONFERENCE**

Date: January 2, 2020

Time: 9:30 a.m.

Location: Courtroom 5, 17th Floor

Complaint Filed: September 11, 2019

20 Pursuant to Local Civ. Rule 16-10(a), Plaintiff Abante Rooter and Plumbing, Inc.  
21 (“Plaintiff”) hereby respectfully requests that the Court permit Plaintiff’s counsel to appear  
22 telephonically at the Case Management Conference scheduled for January 2, 2020, at 9:30 a.m.  
23 before the Honorable Edward M. Chen. Patrick H. Peluso, counsel for Plaintiff, resides in Denver,  
24 Colorado, and considerable travel expense can be avoided if counsel is permitted to appear by  
25 telephone. Therefore, Plaintiff respectfully requests leave for its counsel, Patrick H. Peluso, to  
26 appear telephonically at the Case Management Conference scheduled for January 2, 2020, at 9:30  
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1 a.m.

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5 Dated: December 13, 2019

Respectfully submitted,

ABANTE ROOTER AND PLUMBING, INC.,

By: /s/ Patrick H. Peluso  
One of Plaintiff's Attorneys

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18 *Counsel for Plaintiff and the Putative Classes*

19  
20 \*Pro Hac Vice  
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**CERTIFICATE OF SERVICE**

I, Patrick H. Peluso, an attorney, hereby certify that on December 13, 2019, I caused the above and foregoing papers to be served upon counsel of record by filing such papers via the Court's ECF system.

/s/ Patrick H. Peluso